

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATIMA MILLER

Defendant.

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) Criminal Action No. 07-114-JJF
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JOINT MOTION FOR EXCLUSION OF TIME

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Shawn A. Weede, Assistant United States Attorney for the District of Delaware, and the defendant, Matima Miller, by and through his attorney, Luis A. Ortiz, Esquire, and hereby submit the following:

1. On August 28, 2007, the defendant was indicted with being a felon in possession of a firearm, in violation of 18 U.S.C. 922(g)(1) and 924(a)(2).
2. On October 15, 2007, a status conference was held before the Court. At that time, the Government advised that tests were still being performed on the firearm in question. The Government estimated that it would take at least a month for the testing in question to be complete. Further, the defense advised the Court that once it received the results of said tests, it would need an appropriate amount of time to analyze and possibly respond to those results.
3. Both parties requested that the Court set a trial date far enough in the future to account for the above circumstances. The Court assigned a trial date of January 8, 2008, to which neither party objected.

4. The parties request that the Court exclude the time from the date of this motion until January 8, 2008, under the Speedy Trial Act (18 U.S.C. § 3161 *et seq.*). The parties submit that the time is excludable because the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h).

WHEREFORE, the parties respectfully request that the Court grant their Joint Motion for Exclusion of Time. A proposed Order is attached.

Respectfully submitted,

COLM F. CONNOLLY
United States Attorney

By: /s/ Luis A. Ortiz
Luis A. Ortiz
Attorney for Matima Miller

By: /s/ Shawn A. Weede
Shawn A. Weede
Assistant United States Attorney

Dated: October 17, 2007

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ORDER

Having considered the parties' Joint Motion for Exclusion of Time, **IT IS HEREBY ORDERED** that the period from October 17, 2007, through January 8, 2008, is excluded under the Speedy Trial Act, because the ends of justice served by the delay outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h).

The Honorable Joseph J. Farnan, Jr.
United States District Judge

Dated: